REMARKS

SUMMARY

Applicants would like to thank the Examiner for his time and kind assistance in answering the Applicants' questions by telephone on April 8, 2009. Applicants deeply appreciate the Examiner's explanation of the rejection, which is answered below in the manner suggested by the Examiner.

Reconsideration of the application is respectfully requested. Claims 1-6, 9-12, 14, 16 and 18-21 were rejected. No claims have been amended, added or canceled. No new matter is added. Claims 1-6, 9-12, 14, 16 and 18-21 remain pending.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 1-6, 9-12, 14, 16 and 18-21 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action stated that "switching from a second mode to a first mode responsive to a user interaction" was not described in the original disclosure. The current application claims priority to Provisional Application No. 60/458,314 filed March 28, 2003. For the Examiner's convenience, citations are provided below with the corresponding paragraph numbers (current application) and page/line numbers (provisional application). The cited language is identical in these disclosures.

Claim 1 recites, in part, "an operating logic configured . . . to switch from the second mode to the first mode responsive to a user instruction . . . ." In claim 1, this recitation refers to an operating logic configured to switch from an 'authenticated user' mode to an 'unauthenticated user' mode in response to an instruction by a user. The recitation is supported by Figures 4a and 4b, which illustrate the operational flow of some aspects of operating logic 240 (see blocks 404, 416, 418 in which operating logic 240 determines that a user input is a user instruction to return to the unauthenticated mode and returns the phone 100 to operate in the unauthenticated mode). The recitation is also supported in the

specification, which describes a user instruction to return to the unauthenticated mode from the authenticated mode (see below) and vice versa.

Applicants respectfully submit that although the phrase "to switch" is not copied verbatim from the specification, there is sufficient basis for the term because its meaning, in the context of "to switch from the second mode to the first mode" (i.e. to return from the second mode to the first mode), is apparent from the descriptive portion of the specification and there is clear disclosure as to its import. MPEP 608.01(o).

The recitation is disclosed in Figures 4a and 4b, and in at least the following passages of Applicants' disclosures:

Paragraph [0039] (current application) and Pg. 10, l. 6-12 (provisional application):

> "Keys of key pad 102 may be employed to enter alphanumeric data, including entering a sequence of alphanumeric data for the phone number or address of a "callee". <u>Selected sequence of the keys (such as "*#") may also be employed to denote a user instruction to return to the unauthenticated mode of operation, if entered while operating in the authenticated mode of operation,</u> or to return to the authenticated mode of operation, if entered while operating in the unauthenticated mode of operation (provided the user is authenticated)."

Paragraph [0040] (current application), Pg. 10, l. 18-23 (provisional application):

> "Similarly, <u>scroll and selection keys 105/106 may also be employed to select a menu item to convey a user instruction to return to the unauthenticated mode, if the selection is made while operating in the authenticated mode,</u> or to return to the authenticated mode, if the selection is made while operating in the unauthenticated mode (provided the user is authenticated).

Paragraph [0055-0056] (current application), Pg. 13, l. 11-19 (provisional application):

> "Back at block 408, if the input is determined not to be finger print input, <u>operating logic 240 determines if the input is a user instruction to return to the</u>

unauthenticated mode of operation (e.g. a user selecting or inputting such command using alphanumeric keys 102 and/or scroll/select keys 105 and 106 while operating in an authenticated mode of operation), block 416. If the input is determined to be a user instruction to return to the unauthenticated mode of operation, operating logic 240 (or more specifically, security function 242) returns phone 100 to operate in the unauthenticated mode, block 418." The inclusion of security function 242 as part of the operating logic 240 is disclosed in paragraph [0020] of the current application and page 5, lines 16-20 of the original disclosure, which state that operating logic 240 is equipped with security function 242.

Applicants respectfully submit that this evidence of support overcomes the rejection as to claim 1, and that claim 1 is therefore in condition for allowance.

Independent claims 9, 14, and 16 recite essentially the same feature as described above for claim 1 and were rejected on the same grounds. Therefore, because claim 1 is in condition for allowance, claims 9, 14, and 16 are also in condition for allowance for at least the same reasons.

Claims 2-6, 10-12, and 18-21 depend either directly or indirectly from one of claims 1, 9, 14 and 16, incorporating their recitations, and are therefore in condition for allowance for at least the same reasons.

Reconsideration and allowance is respectfully requested.

CONCLUSION

All pending claims are in a condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1542. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
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